

**Memorandum of the Meeting
Rescheduled Study Session/Meeting
Twenty-Sixth Town Council of Highland
Tuesday, September 08, 2009**

The rescheduled study session of the Twenty-Sixth Town Council of the Town of Highland was convened at the regular place, the Highland Municipal, 3333 Ridge Road, Highland, Indiana, in the plenary meeting chambers on **Tuesday, September 08, 2009** at the regular time of 7:05 o'clock p.m.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dan Vassar, and Brian Novak, were present. Councilor Konnie Kuiper arrived at 7:42 p.m., noting in advance he would have a delayed arrival. The Clerk-Treasurer Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Also present: John Bach, Director of Public Works; Kenneth Mika, Building Commissioner; Cecile Petro, Redevelopment Director; and Alex M. Brown, Parks and Recreation Superintendent.

Ed Dabrowski of the Park and Recreation Board was also present.

General Substance of Matters Discussed

1. The Town Council conducted its budget works sessions with each department head. The meeting was conducted according to this schedule:

7:00 p.m. to 7:20 p.m. (Scheduled)

John Bach discussed the following budgets for the following funds or departments of the General Fund:

Motor Vehicle Highway Fund
Local Road and Street Fund
Sanitation Department of the General Fund
Town Hall Department of the General Fund
Cumulative Capital Improvement Fund
Solid Waste District Grant Fund
MCCD, his requested portion.

Mr. Bach noted that based upon the revenue estimate for MVH provided by the state, the submitted budget was in deficit by \$237,287 as initially proposed. The Public Works Director provided a revised proposed budget conforming to the revenue estimate, by reducing the MVH Fund proposed budget by \$331,570. He noted that the budget being cut by a third will have an impact on some services. He noted that historically the street department is significantly funded by the MVH Fund.

The discussion included whether or not MVH Fund (Street Department) costs could be posted to either sewage or water. The Public works Director also suggested the implementation of the Economic Improvement District to support the landscaping of the downtown area and perhaps to support snow removal on the sidewalks. (IC 36-7-22)

The discussion included the adequacy of the road salt budget for the FY 2010. It was noted that by participating in the INDOT State purchasing alliance, the price per ton was reduced from the prior year, but the Town is committed to purchasing 80% of the estimate Highland provided to INDOT to compile the cooperative bids.

It was noted that the Public Works Director should employ the newsletter about the issues related to salting roads and the rules associated with leave collection. The Public Works

Director noted that the increase in the Sanitation and Street Department of the General Fund was coincident with the standing solid waste service fees rate increases. Further, he noted that the current solid waste collection agreement expires March 31, 2009. There could be an unforeseen increase in consequence of a new agreement.

The discussion included whether or not the possible ethanol plant being considered by the Solid Waste Management District, and whether or not there is a possible discount for the Town if this investment is up and running. It was noted that each new contract should provide for directing waste stream to the ethanol site.

The discussion included considering whether or not the recycling provided an added cost to the contract.

Mr. Bach departed at 7:55 p.m. having concluded his presentation.

7:25 p.m. to 7:45 p.m. (Scheduled)

Kenneth J. Mika
Building and Inspection Department of the General Fund
Plan Commission Department of the General Fund
ABZA Department of the General Fund

The Town Council discussed the costs associated with the health insurance account, noting that the department has three full time staff persons. It was further noted that the estimate for gasoline was made based upon the previous year's use. The Building Commissioner noted that in the current year, the revenues from charges are stable. He further recommended that no increase be considered for FY 2010.

The Town Council discussed whether or not there was any merit to having code enforcement officers collect fines at the time of the enforcement. It was noted that there could be a concern with appropriate segregation of incompatible duties. The discussion included whether or not there was any lost revenue from non-permitted work occurring on a weekend and a violation being missed. The Town Council and the Building Commissioner discussed whether or not there was merit to enforcing against a garage sale signs posted on utility poles.

Owing to a personal family call, the Town Council President departed at this time.

The Town discussed the issue of the rental properties and the issue of the arrearage or failure to obtain a business license as required in the current ordinance. The Council reviewed a tentative list of persons or companies prepared by the Clerk-Treasurer's office for which a letter or inquiry may be directed.

Mr. Kenneth Mika was able to depart at this time, 8:40 p.m.

7:50 p.m. to 8:10 p.m. (Scheduled)

Cecile Petro
Redevelopment General Fund
Redevelopment Capital Fund

The Redevelopment Director reported that her proposed budget was unchanged from the previous year. It was further noted that the Redevelopment General Fund was actually reduced by \$186 from the 2009 budget. The Redevelopment Capital Fund was unchanged.

It was noted that there is no property levy in the Redevelopment Capital Fund. The discussion included a review of the identified budget regarding purchase of property denoted in the Redevelopment Capital Fund.

The Town Council and the Redevelopment Director discussed the status of the former Bult Oil Property, the current zoning and the marketability. It was noted that the property is presently zoned Light industrial. The discussion included an inquiry about the loss of bean counters on Kennedy Avenue, and the disposition of other businesses or potential developments in the Town including the prospects of the plans for the Northwest Indiana Development Group, under the aegis of Jim Zappia.

It was noted that the Police Pension secretary was not available for the meeting and would be rescheduled.

Cecile Petro departed at this time, 9:03 p.m.

8:40 p.m. to 9:00 p.m. (Scheduled)

Alex Brown

Parks and Recreation Fund

The Parks and Recreation Superintendent and the Town Council discussed the proposed budget for FY 2010 in the Park and Recreation General Fund. It was noted that there was a proposed increase of \$66,000 over the FY 2009 fiscal year. Mr. Brown represented that \$54,000 of the increase was based upon the health insurance. He noted that he had 17 full-time employees. He further represented that changes in the minimum wage and additional part time building supervisors, affected the other changes.

The Town Council and Mr. Brown discussed modifying the park maintenance metric of the bike trail from its current "golf course" manicure to something allowing a more natural depiction, prairie grass and the like. Mr. Brown noted that the higher standard requires many more task hours than the proposed standard.

The discussion included ascertaining a better estimate for the interest on temporary loans for the Park General Fund. The discussion included the need for a generator at the Lincoln Center, based upon its role as the disaster temporary housing sheltering center. It was noted that the net increase was \$52,000 owing to an increase of \$14,000 in general user revenues over FY 2009. He noted that some new trucks were needed. Mr. Brown departed at this time, at 9:30 p.m.

2. The Town Clerk-Treasurer discussed the several responses to RFP's for several copiers as specified for the use in the municipal building, police department and the parks and recreation department, with costs to be born by the ICT Fund. It was noted that after evaluating the responses, the Town Clerk-Treasurer and the IT Director recommended the purchase of the copiers without reference to an outright purchase utilizing the MCCD Fund, and then have maintenance costs borne by the ICT. All prices were evaluated using the cost over three years.
3. The Town Council was briefed by the Clerk-Treasurer on the recent state authorized distribution of dormant welfare levies from the County Funds. It was noted that the Lake County Council was required to make the authorization as well and if so authorized, the proceeds could only be expended for public safety purposes. It was further reported to the Town Council that the civil town was in receipt of \$126,703 and that the Sanitary District was in receipt of \$3,143. The public safety department heads including the Public Works Director were advised of the receipt of these funds. The Town Council was further advised that these proceeds would require appropriation before expenditure.

4. The Town Council was briefed on the issue of the change of paydays in 2009 from the originally scheduled 26 pay days being increased to 27 paydays. This is owing to the first pay date of FY 2010 falling on January 1st, and the determination to move that date instead to December 31, 2009. The discussion included the assertion by the police pension secretary that this change constituted a change in the basis for the first class patrol officer's base pay for the year. If this is accepted, such a change would modify the pension benefits paid from the 1925 plan fund and would increase the employer's costs for the 1977 plan. It was further noted that there is no clear legal requirement to understand that the basis is changed. The law is silent and no clear guidance on the issue was provided. This is based upon inquiries with authorities at PERF and communities in the state that have experienced the issue. It was further noted that the actual bi-weekly pay was unchanged, remaining \$1,974 bi-weekly, but by consequence of the calendar, there would be 27 pays instead of 26 in FY 2009, making the annual amount of the pay increased by the \$1,974 biweekly amount.

The clerk-treasurer did report that some communities experiencing the 27 payday issue, elected to acknowledge the 27 paydays as establishing a new basis for the first class patrol officer's base pay. There was no apparent prohibition for communities electing to do this. The Clerk-Treasurer reported that the increased cost for the current fiscal year was estimated at \$25,751.62 to be borne by the Police Pension Fund. It was surmised that the Police Pension Secretary would fund this from the existing death benefit appropriation, funded for four beneficiaries at \$12,000 each for a total of \$48,000 for the year. The Clerk-Treasurer further reported that the 1977 fund basis would increase as well, meaning that the Police Department of the General Fund would need to identify an additional \$16,494.66 (this being based upon 42 officers.) The increase per officer would be \$392.73 for the town' to cover the revised employer's share. It was unclear if the funding was available for this.

The Clerk-Treasurer recommended that provided the resources could be identified in the Metropolitan Police Department budget without reduction to existing obligations, the Town Council may find it advisable to adopt an ordinance acknowledging the new basis for the police pension for FY 2009.

The Metropolitan Police Department liaison indicated that he would follow-up with the Police Department to determine if the amount is available.

There being no further business to come before the Town Council, the rescheduled study session of the Town Council, of **Monday, September 08, 2009**, was adjourned 10:15 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer